

PETER R. MERSEREAU, OSB No. 732028
pmersereau@mershanlaw.com
BARRETT C. MERSEREAU, OSB No. 023922
bmersereau@mershanlaw.com
MERSEREAU SHANNON LLP
One SW Columbia Street, Suite 1600
Portland, Oregon 97258-2089
Telephone: 503.226.6400
Facsimile: 503.226.0383

Of Attorneys for Defendant Sunriver Service District

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

MICHAEL ALLEN KENNEDY,
Plaintiff,

v.

DESCHUTES COUNTY BOARD OF
COMMISSIONERS, SUNRIVER SERVICE
DISTRICT, SUNRIVER OWNERS
ASSOCIATION,
Defendants.

Case No. 6:12-CV-01319-MC

DEFENDANT SUNRIVER SERVICE
DISTRICT'S MOTION FOR
SUMMARY JUDGMENT

ORAL ARGUMENT REQUESTED

LR 7-1 CERTIFICATE

Pursuant to LR 7-1(a), defendant Sunriver Service District ("district") certifies that through its counsel, the parties conferred respecting this motion, but were unable to resolve their disputes.

MOTION

Pursuant to Fed. R. Civ. P. 56, the defendant district moves this court for an order granting summary judgment in its favor against each of plaintiff's claims for relief in his first amended

complaint. The grounds for this motion are that there is no genuine dispute as to any material fact and defendant is entitled to judgment as a matter of law.

In support of this motion, defendant relies on the memorandum of law filed herewith, together with the declarations of Ron Angell and Peter R. Mersereau, with attached exhibits.

DATED: February 26, 2014.

MERSEREAU SHANNON, LLP

/s/ Peter R. Mersereau
PETER R. MERSEREAU, OSB No. 732028
pmersereau@mershanlaw.com
BARRETT C. MERSEREAU, OSB No. 023922
bmersereau@mershanlaw.com
503.226.6400
Of Attorneys for Defendants Sunriver Service District